

UNITED STATES BANKRUPTCY COURT
Western District of North Carolina (Wilkesboro)

Notice of Chapter 7 Bankruptcy Case, Meeting of Creditors, & Deadlines

A chapter 7 bankruptcy case concerning the debtor(s) listed below was filed on 1/20/05.

You may be a creditor of the debtor. **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the bankruptcy clerk's office.
NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

See Reverse Side For Important Explanations.

Debtor(s) (name(s) and address):
James Matthew Wagoner
P O Box 271
Hays, NC 28635

Lonie Marie Taylor Wagoner
P O Box 271
Hays, NC 28635

Case Number:
05-50094

Social Security/Taxpayer ID Nos.:
xxx-xx-7910
xxx-xx-6891

Attorney for Debtor(s) (name and address):
James B. Mallory III
Attorney At Law
Post Office Box 7
Statesville, NC 28687

Telephone number: (704) 872-1911

Bankruptcy Trustee (name and address):
James T. Ward Sr.
404 Bethel Street
P. O. Box 240
Clover, SC 29710-0240

Telephone number: 803-222-4014

Meeting of Creditors:

Date: **February 18, 2005**

Time: **10:00 AM**

Location: **Hayes Federal Building, 207 West Main Street, 2nd Floor, Wilkesboro, NC 28697**

Deadlines:

Papers must be *received* by the bankruptcy clerk's office by the following deadlines:

Deadline to File a Complaint Objecting to Discharge of the Debtor or to Determine Dischargeability of Certain Debts:
4/19/05

Deadline to Object to Exemptions:
Thirty (30) days after the *conclusion* of the meeting of creditors.

Creditors May Not Take Certain Actions:

The filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized.

Please Do Not File a Proof of Claim Unless You Receive a Notice To Do So.

The trustee will collect the debtor's property and turn any that is not exempt into money. At this time, however, it appears from the schedules of the debtor that there are no assets from which any distribution can be paid to creditors. If at a later date it appears that there are assets from which a distribution may be paid, the creditors will be notified and given an opportunity to file claims.

Address of the Bankruptcy Clerk's Office:
Wilkesboro Division
P.O. Box 34189
Charlotte, NC 28234-4189

Telephone number: 704-350-7500

For the Court:

Clerk of the Bankruptcy Court:
David E. Weich

Hours Open: 8:30 AM – 5:00 PM, Monday – Friday

Date: 1/21/05

EXPLANATIONS

FORM B9A (9/97)

Filing of Chapter 7 Bankruptcy Case	A bankruptcy case under chapter 7 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by or against the debtor(s) listed on the front side, and an order for relief has been entered.
Creditors May Not Take Certain Actions	Prohibited collection actions are listed in Bankruptcy Code §362. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; garnishing or deducting from the debtor's wages; and starting or continuing lawsuits or foreclosures.
Meeting of Creditors	A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor (both spouses in a joint case) must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice.
Do Not File a Proof of Claim at This Time	There does not appear to be any property available to the trustee to pay creditors. <i>You therefore should not file a proof of claim at this time.</i> If it later appears that assets are available to pay creditors, you will be sent another notice telling you that you may file a proof of claim, and telling you the deadline for filing your proof of claim.
Discharge of Debts	The debtor is seeking a discharge of most debts, which may include your debt. A discharge means that you may never try to collect the debt from the debtor. If you believe that the debtor is not entitled to receive a discharge under Bankruptcy Code §727(a) <i>or</i> that a debt owed to you is not dischargeable under Bankruptcy Code §523(a)(2), (4), (6), or (15), you must start a lawsuit by filing a complaint in the bankruptcy clerk's office by the "Deadline to File a Complaint Objecting to Discharge of the Debtor or to Determine Dischargeability of Certain Debts" listed on the front side. The bankruptcy clerk's office must receive the complaint and the required filing fee by that Deadline.
Exempt Property	The debtor is permitted by law to keep certain property as exempt. Exempt property will not be sold and distributed to creditors. The debtor must file a list of all property claimed as exempt. You may inspect that list at the bankruptcy clerk's office. If you believe that an exemption claimed by the debtor is not authorized by law, you may file an objection to that exemption. The bankruptcy clerk's office must receive the objection by the "Deadline to Object to Exemptions" listed on the front side.
Bankruptcy Clerk's Office	Any paper that you file in this bankruptcy case should be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's property and debts and the list of the property claimed as exempt, at the bankruptcy clerk's office.
Legal Advice	The staff of the bankruptcy clerk's office cannot give legal advice. You may want to consult an attorney to protect your rights.
--- Refer to Other Side for Important Deadlines and Notices ---	
<p>NOTICE IS HEREBY GIVEN that if the debtor fails to appear at the first meeting of creditors, or if the debtor fails to file all schedules, statements, lists and other documents required to be filed by the Federal Rules of Bankruptcy Procedures and the Local Bankruptcy Rules of this Court within the time period set forth in these rules, the debtor's case will be subject to dismissal without further notice or opportunity for hearing.</p> <p>APPOINTMENT OF TRUSTEE This notice constitutes an order of the court appointing the trustee named on the front side as the interim trustee to serve under general blanket bond.</p> <p>Pursuant to the July 31, 2001 Administrative Order Regarding Maintenance of Documents. "Effective 8/1/01 the court will not maintain case files for documents filed with the court. After documents are processed with the court, the court will return original documents, and copies to the filer.....Originals of filed documents containing the debtor's signature, including the debtor's verification of a pleading or other document, must be maintained by the filer for a period of four years. Documents that the court is unable to return will be recycled."</p>	